



**ORDINANCE NUMBER 2895**

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT TO ALLOW OUTSIDE STORAGE ASSOCIATED WITH A GREENHOUSE AND/OR PLANT NURSERY – COMMERCIAL, INCLUDING AMENDING THE APPROVED SITE PLAN, APPROXIMATELY 6.4 ACRES LOCATED AT 2222 VALWOOD PARKWAY WITHIN PLANNED DEVELOPMENT NUMBER 22 ZONING DISTRICT (PD-22); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and



WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the City of Farmers Branch City Council, in compliance with the Charter of the City of Farmers Branch, and state law with reference to the granting of changes to the zoning classifications under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the City of Farmers Branch City Council is of the opinion that due to a change in condition and in order to protect the public health, welfare and safety, said change in zoning should be made.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:**

**SECTION 1.** That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

**SECTION 2.** That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the zoning map of the City of Farmers Branch so as to grant a specific use permit to allow outside storage associated with a greenhouse and/or plant nursery - commercial, including amending the approved site plan, approximately 6.4 acres located at 2222 Valwood Parkway within Planned Development Number 22 (PD-22) zoning district (hereinafter the "Property"), as described in Exhibit "A" and depicted in Exhibit "B" attached hereto subject to the terms and conditions contained herein.

**SECTION 3.** That the Property shall conform in operation, location and construction to the development standards specified within the Planned Development Number 22 (PD-22) zoning district and in accordance with the site plan approved by Resolution 99-174 and attached thereto as Exhibit "A," and as amended by Ordinance 2895, Exhibit "C" as attached hereto. All exhibits attached hereto are incorporated herein by reference.

**SECTION 4.** That the Property is hereby subject to the following conditions:

1. Installation of landscaping improvements along south and west property lines, in accordance with the approved 1999 site plan, shall be allowed to be deferred until such time when the existing plant materials on adjacent properties are no longer adequate to provide landscape screening of the outside storage, or at such time as determined by the City.

2. The live oak trees as shown on the amending site plan drawing shall be installed at such time when the proposed site improvements at the southwest corner of the property are constructed.

**SECTION 5.** That the Property shall conform with the Plan of Operation attached hereto as Exhibit "D."

**SECTION 6.** If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

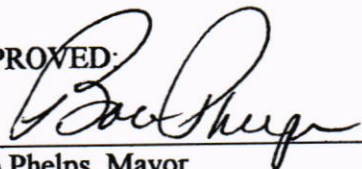
**SECTION 7.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

**SECTION 8.** In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.


**SECTION 9.** This ordinance shall take effect immediately from and after its passage as the law in such case provides.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the 11th day of December, 2006.**

APPROVED:

  
Bob Phelps, Mayor

APPROVED AS TO FORM:

  
City Attorney  
(Reviewed by Atty. S. Lowry, 11/28/06)

ATTEST:

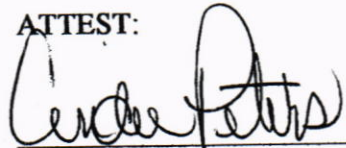
  
Cindee Peters, City Secretary



Exhibit "A" – legal description

STATE OF TEXAS  
COUNTY OF DALLAS

WHEREAS, Precision Landscape Management, Inc. is the sole owner of all of a 6.408 acre tract of land situated in the Joseph A. Armstrong Survey, Abstract No. 28, Dallas County, Texas, and being all of that tract described in a Deed from Jean M. Shepard et al, to Dennis Birdsong and Bruce Birdsong dated September 2, 1997 recorded in Volume 97170, Page 02337, Deed Records of Dallas County, Texas, and all of that tract of land described in a Deed from Henry W. DuBois, Jr. and spouse Lynne M. Dubois to Dennis Birdsong and Bruce Birdsong dated March 26, 1999 recorded in Volume 99059, Page 05334, Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron pin set for corner in the West line of the said Joseph A. Armstrong Survey, said point being in the South Right-of-Way of Valwood Parkway (a 100 feet Right-of-Way), said point being the northwest corner of that certain tract described on a Deed from Henry W. Dubois, Jr. and spouse Lynne M. Dubois, to Dennis Birdsong and Bruce Birdsong dated March 26, 1999, recorded in Volume 99059, Page 05334, Deed Records of Dallas County, Texas;

THENCE East along the South Right-of-Way line of Valwood Parkway, a distance of 360.71 feet to a 1/2 inch iron pin set for corner in the west Right-of-Way line of the Dallas Water Utilities tract (100 foot R.O.W.) at the beginning of a non-tangent curve to the right having a radius of 5679.58 feet, a central angle of 7°02'40" and a chord that bears South 05°28'20" East, 697.87 feet;

THENCE along said curve to the right and in a southerly direction along the west line of said Dallas Water Utilities tract an arc distance of 698.31 feet to a 5/8 inch iron rod found for corner;

THENCE North 89°38'04" West, a distance of 430.22 feet to a found 5/8 inch iron rod found for corner;

THENCE North 00°14'40" East, along the west line of said J.A. Armstrong Survey, a distance of 691.95 feet to the POINT OF BEGINNING AND CONTAINING 6.408 acres of land, more or less.



Exhibit "B" – locator map

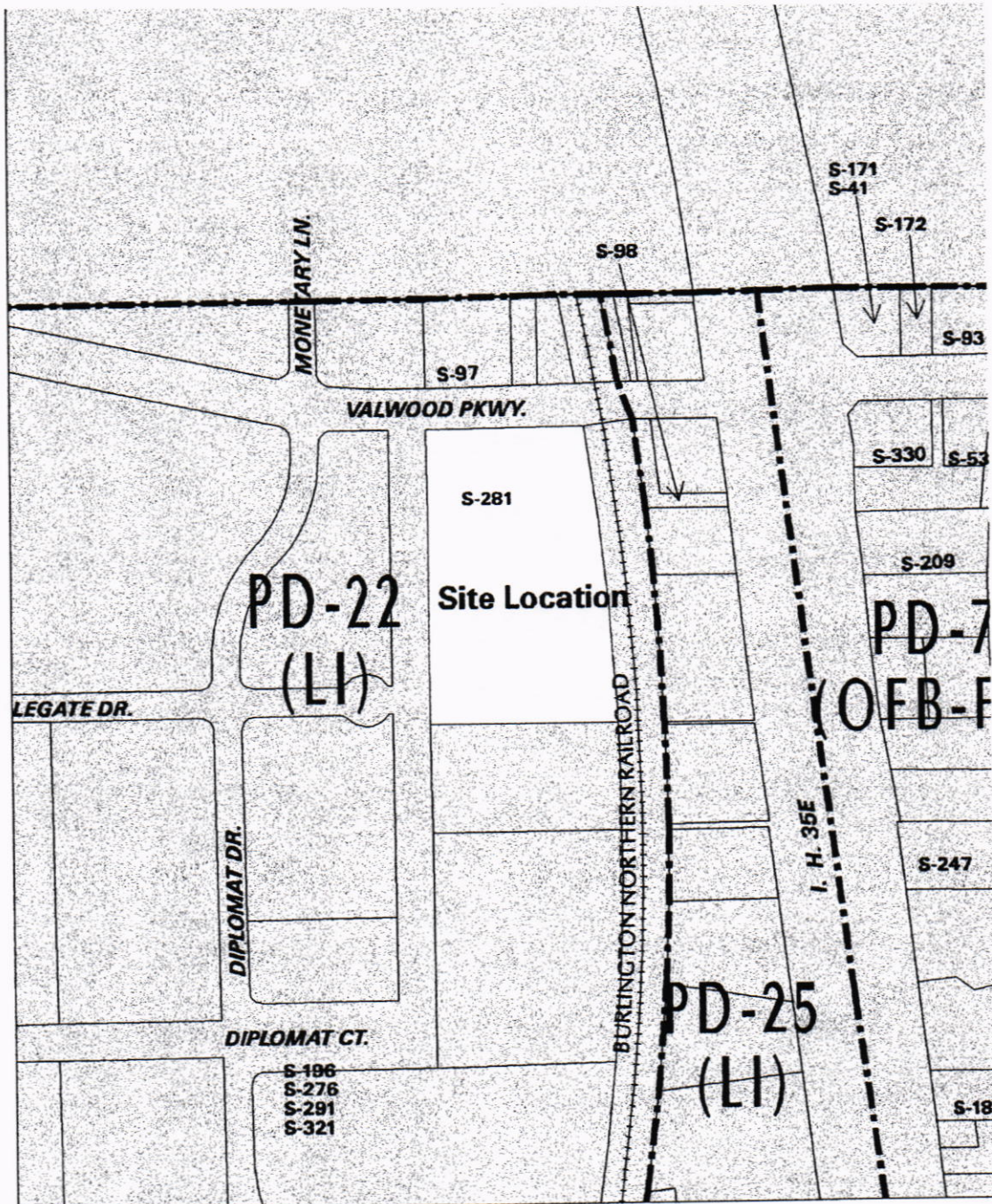
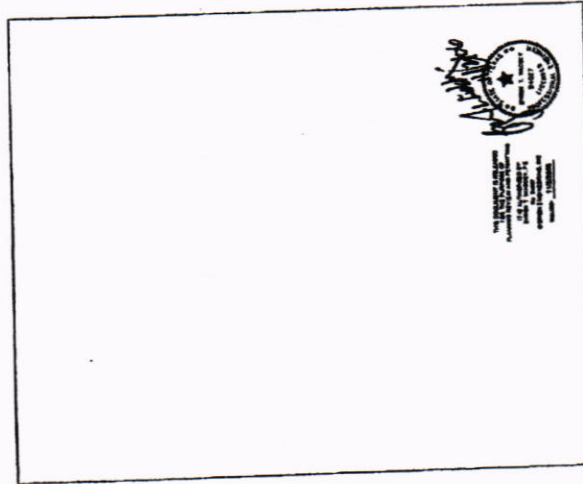
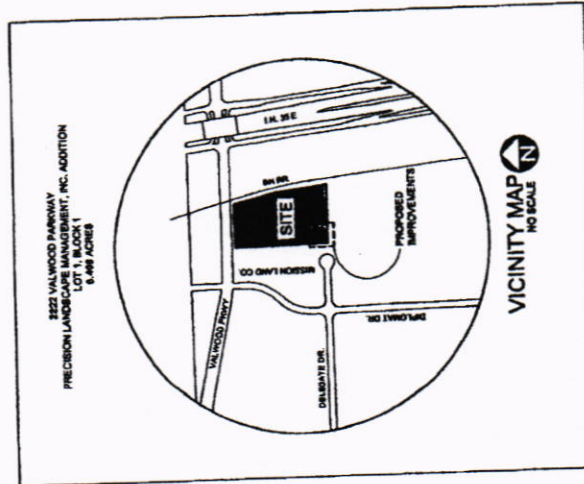


Exhibit "C"  
Site Plan

# SITE PLANS FOR PRECISION LANDSCAPE MANAGEMENT, INC. ADDITION

PREPARED FOR  
PRECISION LANDSCAPE MANAGEMENT, INC.

2222 VALWOOD PARKWAY  
FARMINGTON, CONNECTICUT 06031  
PHONE (872) 241-5789



SHEET INDEX	
1	CORNER SHEET
2	SITE PLAN
3	SITE PLAN FOR SOUTHWEST CORNER OF PROPERTY
4	ELEVATION PLANS
5	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
6	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
7	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
8	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
9	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
10	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
11	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
12	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
13	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
14	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
15	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
16	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
17	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
18	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
19	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
20	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
21	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
22	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
23	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
24	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
25	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
26	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
27	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
28	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
29	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
30	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
31	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
32	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
33	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
34	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
35	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
36	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
37	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
38	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
39	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
40	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
41	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
42	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
43	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
44	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
45	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
46	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
47	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
48	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
49	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
50	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
51	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
52	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
53	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
54	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
55	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
56	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
57	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
58	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
59	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
60	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
61	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
62	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
63	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
64	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
65	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
66	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
67	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
68	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
69	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
70	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
71	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
72	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
73	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
74	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
75	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
76	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
77	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
78	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
79	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
80	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
81	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
82	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
83	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
84	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
85	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
86	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
87	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
88	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
89	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
90	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
91	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
92	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
93	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
94	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
95	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
96	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
97	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
98	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
99	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL
100	EXTERNAL ELEVATIONS BY SCHWITZ & BOWELL

PREPARED BY:  
**O'Brien Engineering, Inc.**  
1000 Lakeside Ave. Suite 100  
Farmington, CT 06031  
Tel: 860-271-1000

NOVEMBER 2, 2008



**Exhibit "C"**  
**Site Plan (continued)**

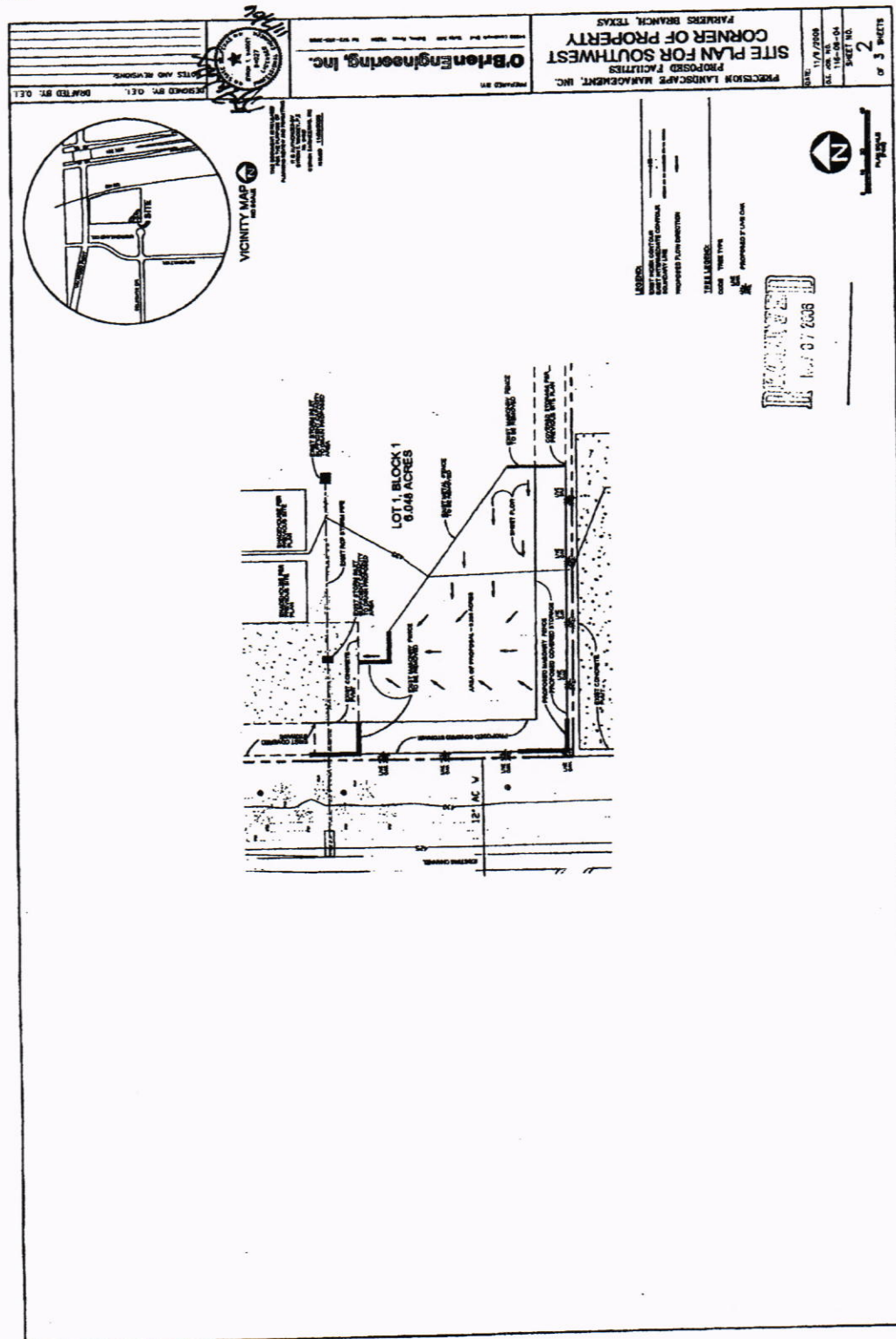


Exhibit "C"  
Site Plan (continued)

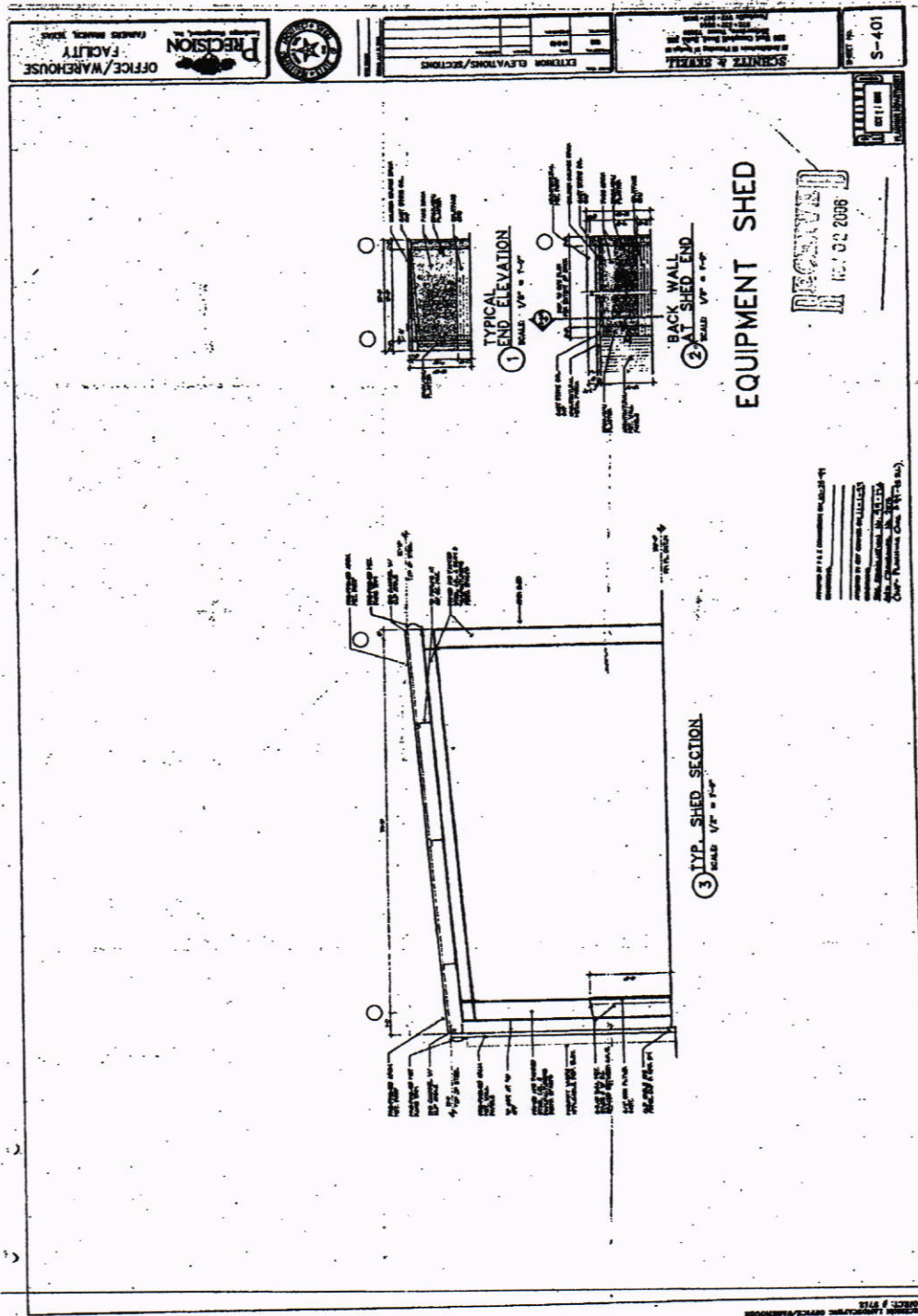




Exhibit "D"  
Plan of Operation



Planning & Zoning Commission of the City of Farmers Branch  
Application for Specific Use Permit

PLAN OF OPERATION

All non-residential uses must provide the following information with the application:

Describe proposed use landscape management services (same as existing)  
including office, warehouse, open storage, <sup>tool storage</sup> and parking. Improved  
area will include open storage.

Indicate hours of operation of the proposed use 7:00 am - 6:00 pm

Total number of employees 180

Indicate if any storage is proposed outside the building The improved area will include  
open storage.

Indicate if any activity is proposed outside the building Not applicable to improved area.  
Per existing site plan, truck and trailer parking, tree staging, and open  
storage will continue.

Any other relevant unique information on the business or site \_\_\_\_\_

G:\Planning and Zoning\Application forms\Specific Use Permit\SUP oct2005\SUP Plan of Operation oct2005.doc, 10/28/2005